UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/888,329	06/22/2001	Jeff Davison	10491-1	9215

30076   7590   01/11/2007
STEPTOE & JOHNSON LLP
1330 CONNECTICUT AVENUE, NW
WASHINGTON, DC 20036

EXAMINER
BASEHOAR, ADAM L.

ART UNIT	PAPER NUMBER
2178	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/11/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *13 October 2006*.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-27* is/are pending in the application.

     4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-27* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

     a)☐ All   b)☐ Some * c)☐ None of:

         1.☐ Certified copies of the priority documents have been received.

         2.☐ Certified copies of the priority documents have been received in Application No. _____.

         3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

     * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
     Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
     Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

1.   This action is responsive to communications: The Amendment filed 10/13/06.

2.   Claims 1-7 and 9-27 remain rejected under 35 U.S.C. 103(a) as being unpatentable over

Microsoft FrontPage 2000, Screen Shots, 12/31/99, pp. 1-20 in further view of Maslov (US-

6,538,673 03/25/03).

3.   Claim 8 remains rejected under 35 U.S.C. 103(a) as being unpatentable over Microsoft

FrontPage 2000, Screen Shots, 12/31/99, pp. 1-20 in Maslov (US-6,538,673 03/25/03) in further

view of Leblang et al (US-5,574,898 11/12/96).

4.   Claims 1-27 are pending in this case. Claim 1 is an independent claim.

Claim Rejections - 35 USC § 103

5.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

6.   Claims 1-7 and 9-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Microsoft FrontPage 2000, Screen Shots, 12/31/99, pp. 1-20 in further view of Maslov (US-

6,538,673 03/25/03).

        -In regard to independent claim 1, FrontPage teaches a method for processing a markup

language file having portions comprising;

        downloading a first markup language file (pp. 3: Open File: "File Name") using HTTP

(i.e. the standard protocol for moving hypertext files across the Internet) and referencing the first

markup file (pp.4: Normal View) by the URL or the name of the local file on the user system

(pp.4: "http://wombat.doc.ic.ac.uk/foldoc/");

parsing the first markup language file for one or more portions (pp. 6); and

storing each portion of the file into a directory structure (pp. 6) containing folders (pp. 6:

"C:\WINNT\Profiles..."), subfolders (pp. 6: "_private", "images", etc), and files (pp.6:

"discuss.html", "members.htm", etc), complying with the structure of the first file (pp.6).

FrontPage further teaches displaying the tag names of each of the elements of the selected

first markup language file (pp. 4: "body", "center", "form", "p", etc). FrontPage also teach

wherein a folder could depend on tag names in the markup language file (pp.6: i.e. "images"

folder depends on image tags of images in the associated markup language file). FrontPage does

not specifically teach each of the folders and subfolders depend from the tag names in the

markup language file. Maslov teach downloading a markup language document (e.g. XML or

HTML)(column 4, lines 48-52; column 8, lines 12-13) and storing each portion of the markup

language document in a directory structure (i.e. a tree model DOM)(column 8, lines 12-20) the

contains folders, subfolders, and files (Fig. 4: 10, 31, 20), wherein each of the folders and

subfolders depend from the tag names in the markup language document (column 8, lines 4-

28)(Fig. 4: e.g. "Body", Div", "Table", "Font"). It would have been obvious to one of ordinary

skill in the art at the time of the invention for the folders and subfolders of first markup language

file in FrontPage (pp. 6) to have depended on the tag names file (pp. 4: "body", "center", "form",

"p", etc) of the markup language file, because Maslov teaches that the DOM tree model was the

most popular implementation for representing XML and HTML online documents (column 8,

lines 12-15) which allowed a user to easily navigate the content of an online document through

the visually labeled hierarchical nodes (column 2, lines 48-50; column 8, lines 26-28: i.e. a user

could determine what was contained in a folder node by observing the named label given to that

node)(Fig. 4).

-In regard to dependent claim 3-7, 9-22, and 27, FrontPage teaches a command language

set comprising:

-listing the contents of a folder (pp.6: i.e. opening the file shows a listing of its contents)

-changing folders and syntax for designating subfolders of folders (pp.6: i.e. opening

different folders and changing the syntax by clicking the "+" or "-" to open or close a folder)

-listing the contents of a file (pp.7: i.e. opening the file and listing the contents in the

display window)

-selection and viewing of objects (pp. 6 & 7: i.e. viewing selectable files and folders)

-listing the attributes of a hypertext markup language tag (pp. 5: i.e. listing the "HTML"

view of a file)

-treating the contents of a file as a local variable when a directory pathname for the file is

referenced (pp. 7: i.e. "members.htm" file and contents are downloaded and thus local variables

to the client)

-treating an attribute of a file as a local variable when a directory pathname is referenced

(pp. 5: i.e. file and attribute contents are downloaded and thus local variables to the client)

-making new folders in the directory structure (pp. 8: "New Folder")

-making new files in the directory structure (pp. 9: "New Page")

-copying folders in the directory structure (pp. 10: "Copy")

-recursively copying folders in the directory structure (pp. 18: "images_copy(1)" &

"images_copy(2)")

-copying files in the directory structure (pp.11: "Copy")

-recursively copying files in the directory structure (pp. 18: "search_copy(1)" &

"search_copy(2)")

-renaming folders in a directory structure (pp. 12: "Rename")

-renaming files in a directory structure (pp. 13: "Rename")

-creating new files through redirection of an output command (pp. 9: "New Page")

-setting a file value (pp. 14: i.e. File Renaming or Title Changing)

-saving the modified file to disk (pp. 15: "Save" or "Save As")

-outputting the modified file to a standard output (pp. 16: "Print")

-creating HTML documents containing references to tag variables (pp. 19: i.e.

downloaded HTML website), allowing insertion into a markup document the contents of a file

from a second markup language document (pp. 20: i.e. Allowed for the insertion of file

"search.htm" into the first HTML document).

-In regard to dependent claims 23-26, FrontPage teaches where said command language

set allows creation of a batch file containing a subset of commands (pp. 17: "Publish to Web" or

"Preview in Browser": i.e. Publishing or Previewing a folder creates a file that executes a subset

of commands to execute the publishing or previewing to all files in the folder) and defining local

variables for processing in conjunction with variables and attributes of the files (pp. 14: i.e. File

Renaming or Title Changing & Fig. 5: Variables & Attributes one of the files). FrontPage also

teaches comprising a command for loop processing (pp. 17: i.e. Publish to Web commands open-looped processing of all the files selected to be published) and jumping to a new location within the file and resuming execution at a new location via the inner file links (pp. 4: Links "More help", "Missing terms", etc.).

-In regard to dependent claim 2, FrontPage teaches wherein the MakeAbs Method can be used to convert relative uniform resource locations into absolute uniform resource locations ("Converting Relative and Absolute URL's," pp.1-2 http://msdn.microsoft.com/library/default.asp?url=/library/en-us/off2000/html/fphowURLs.asp). FrontPage doesn't teach wherein the conversion was done automatically. It would have been obvious to one of ordinary skill in the art at the time of the invention for FrontPage to have converted all relative URLs to absolute URLs, because FrontPage teaches that the recommended addressing for FrontPage was absolute addressing ("Converting Relative and Absolute URL's," pp. 1-2 http://msdn.microsoft.com/library/default.asp?url=/library/en-us/off2000/html/fphowURLs.asp).

7.   Claim 8 rejected under 35 U.S.C. 103(a) as being unpatentable over Microsoft FrontPage 2000, Screen Shots, 12/31/99, pp. 1-20 in Maslov (US-6,538,673 03/25/03) in further view of Leblang et al (US-5,574,898 11/12/96).

-In regard to dependent claim 8, FrontPage does not teach wherein its "Open" command in the command set includes adding wildcards in the pathname. Leblang et al teaches wherein adding wildcards to pathnames was well known in the art at the time of the invention (column

11, 18-20). It would have been obvious to one of ordinary skill in the art at the time of the invention for FrontPage to have allowed wildcards in any "Open" pathname, because Leblang et al teaches wherein wildcards in pathnames allow for the matching of many similar names and would thus allow the finding and opening of files that would generally be of the same type or related in some fashion.

Response to Arguments

8.   Applicant's arguments filed 10/13/06 have been fully considered but they are not persuasive.

     -In regard to independent claim 1, Applicant argues that the newly cited Maslov reference fails to teach or suggest that each of the folders and subfolders depend from the tag names in the markup language file. The Examiner respectfully disagrees with the Applicant. Maslov clearly teaches representing an HTML or XML based source online document as a tree representation, with the preferred embodiment utilizing the Document Object Model (column 8, lines 4-5, 12-13, & 17-20). Maslov further teaches wherein each logical unit of the source online document (e.g. paragraph, table, heading, etc) was represented by a node in the tree (column 8, lines 6-8). Finally Maslov teaches creating a document tree for the entire original online source document (column 8, lines 21-23: "shows a partial document tree....complete tree is too big to show on one page"), wherein the each logical unit of the source document was represented as folders and subfolders in the document tree and specifically depend from tag names in source document (Fig. 4: "Body", "Div", "P" "Script", "Table", etc). The logical units of the tag based HTML

and XML documents (e.g. paragraph, table, heading, etc) are clearly tags in the original source

document.

Conclusion

9.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the mailing
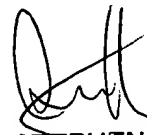
date of this final action.

10.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Adam L. Basehoar whose telephone number is (571)-272-4121.

The examiner can normally be reached on M-F: 7:00am - 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Steve Hong can be reached on (571) 272-4124. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ALB

STEPHEN HONG
SUPERVISORY PATENT EXAMINER